

Remarks

The final Official Action dated October 19, 2005 rejected claims 1-10 under 35 U.S.C. §102(e) as being anticipated by Bahl et al. U.S. Patent No. 6,834,341 (Bahl). Claims 11-13 were rejected under 35 U.S.C. §103(a) based on Bahl in view of Massarani U.S. Patent No. 6,393,484 (Massarani). Claims 14 and 15 were rejected under 35 U.S.C. §103(a) based on Bahl in view of Massarani and in further view of Schuster et al. U.S. Patent No. 6,857,072 (Schuster). A petition for a one-month extension of time and authorization to charge Deposit Account No. 50-1058 for the fee for this extension accompany this amendment. Claims 1-15 are presently pending.

Bahl is the primary reference used in each of the rejections. Bahl has a filing date of February 22, 2000. Steven Branigan and William Cheswick, inventors of the present case, were located and although no longer employed by the assignee have agreed to cooperate in the prosecution of this case. As a result, the declarations of Mr. Priest and Mr. Grosse and their accompanying Exhibits submitted on November 20, 2005 were mailed to Mr. Branigan and Mr. Cheswick. See attached Exhibits A and B. Attached hereto as Exhibit I and Exhibit II are signed copies of Rule 131 Declarations of Mr. Branigan and Mr. Cheswick, respectively. Mr. Branigan and Mr. Cheswick read the declarations of Mr. Priest and Mr. Grosse and their corresponding exhibits. Branigan, Decl. ¶ 3 and Cheswick, Decl. ¶ 3.

The Branigan and Cheswick declarations track the facts of the declaration of Mr. Grosse and demonstrate that the invention as defined by the claims was reduced to practice prior to February 22, 2000. The invention as claimed in claims 1-15 of the present application was actually reduced to practice prior to February 22, 2000 by Mr. Branigan and Mr. Cheswick.

Branigan Decl. ¶ 5 and Cheswick Decl. ¶ 5. Mr. Grosse supervised both inventors, Mr. Branigan and Mr. Cheswick, at a time prior to Bahl's filing date. Branigan Decl. ¶ 6 and Cheswick Decl. ¶ 6. Mr. Branigan and Mr. Cheswick reduced to practice a secure wireless network as covered by claims 1-15 and demonstrated to Eric H. Grosse the working operation of the secure wireless network. Branigan Decl. ¶ 8 and Cheswick Decl. ¶ 8. Mr. Branigan and Mr. Cheswick submitted the patent submission describing this secure wireless network including the paper entitled "Providing Secure Wireless Network Communications" prior to February 22, 2000. Branigan Decl. ¶ 9, Cheswick Decl. ¶ 9, and Priest Decl., Exhibit A. Prior to February 22, 2000, Mr. Branigan and Mr. Cheswick demonstrated the operation of the secure wireless network deployed for the Unix and Green rooms in Murray Hill, NJ referred to by the Abstract of page 4/11 of Priest Decl., Exhibit A and as claimed in claim 1. Branigan Decl. ¶ 14 and Cheswick Decl. ¶ 14. Mr. Branigan and Mr. Cheswick verified that the "local-cs" file is a network operation database utilized by servers servicing the Unix and Green rooms at Murray Hill. Branigan Decl. ¶ 17 and Cheswick Decl. ¶ 17. Mr. Branigan and Mr. Cheswick verified that the "sbwavelan" network name was used to represent the secure wireless network as initially disclosed by Priest Decl., Ex. A and presently claimed in claims 1-15. Branigan Decl. ¶ 18 and Cheswick Decl. ¶ 18.

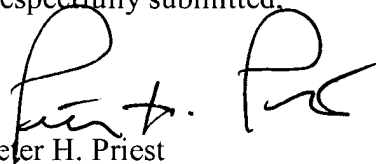
Branigan Decl., ¶ 3 and Cheswick Decl., ¶ 3 explicitly states "I have also read and understand the claims contained in Priest Decl. Ex. B." Furthermore, also refer to Branigan Decl., ¶ 14 and Cheswick Decl., ¶ 14. The wording beginning at the second sentence of this paragraph substantially tracks the wording of claim 1.

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Reply to Office Action of December 29, 2005

With regard to differences between the Bahl claims and the present claims, a single difference is sufficient to overcome Bahl as potential Section 102(g) reference and Applicants note for ease of reference there is at least one difference between the claims of the present invention and the claims of Bahl. Bahl does not claim a "server being also operative to provide the client with a wired network address valid for the connection session upon authentication of the client," as claimed in claim 1.

The declarations of Mr. Branigan and Mr. Cheswick and supporting Exhibits establish that the present invention was reduced to practice prior to February 22, 2000, thus prior to the filing date of the Bahl. Consequently, all the rejections relying on Bahl should be withdrawn.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter H. Priest", with a stylized flourish at the end.

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